

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Confirmation No. 7537

Inventors: Link et al

Art Unit:

Application No. 10/535,581, filed May 19, 2005

Examiner:

For: **METHOD FOR CULTURING CELLS IN ORDER TO PRODUCE SUBSTANCES**

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 USC 371

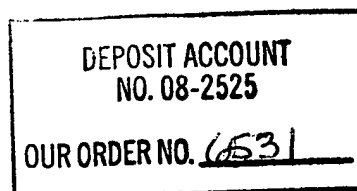
Nutley, New Jersey 07110
January 12, 2006

Mail Stop: Missing Part
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements under 35 USC 371 mailed December 19, 2005, Applicants herein submit a combined Declaration of all the inventors, in compliance with 37 CFR § 1.497(a) and (b), listed as inventors of record on the international application PCT/DE03/03693. The Combined Declaration provides that the present application was filed as a PCT international application number PCT/DE03/03693 on November 7, 2003, with a claim to priority to DE Application No. 10255508.7, filing date November 27, 2002.

The six (6) inventors of record on the international application, PCT/DE03/03693 are the inventors of the subject national stage application (10/535,581) under 35 USC 371 and 37 CFR § 1.41(a)(4).



Serial No. 10/535,58
Filed: May 19, 2005

Accordingly, and to put the record in order, Applicants hereby also submit an Application Data Sheet to reflect all six (6) named inventors.

The payment of a surcharge of \$130.00 is to be charged to Deposit Account No. 08-2525. Any underpayment or overpayment should be charged or credited to Deposit Account No. 08-2525.

Respectfully submitted,



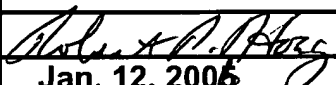
Attorney for Applicant(s)
Robert P. Hoag
(Reg. No. 39712)
340 Kingsland Street
Nutley, New Jersey 07110
Telephone: (973) 235-4453
Telefax: (973) 235-2363


RPH:as
216707

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/535,581
	Filing Date	May 19, 2005
	First Named Inventor	Thomas Link
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	23062

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
Remarks Executed Combined Declaration Revised Application Data Sheet		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Robert P. Hoag
Signature	
Date	Jan. 12, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Robert P. Hoag		
Signature		Date	Jan. 12, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AS/RH



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT 17 JAN 2006

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/535,581	Thomas Link	23062

INTERNATIONAL APPLICATION NO.	
PCT/DE03/03693	
I.A. FILING DATE	PRIORITY DATE
11/07/2003	11/27/2002

151
 HOFFMANN-LA ROCHE INC.
 PATENT LAW DEPARTMENT
 340 KINGSLAND STREET
 NUTLEY, NJ 07110

JAN - 2

CONFIRMATION NO. 7537

371 FORMALITIES LETTER



OC000000017679372

Date Mailed: 12/19/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/19/2005
- English Translation of the IA filed on 05/19/2005
- Copy of the International Search Report filed on 05/19/2005
- Preliminary Amendments filed on 05/19/2005
- Information Disclosure Statements filed on 05/19/2005
- Copy of references cited in ISR filed on 05/19/2005
- U.S. Basic National Fees filed on 05/19/2005
- Priority Documents filed on 05/19/2005

RESPONSE DUE:

February 17, 2006

STATUTORY
PERIOD EXPIRES:

May 19, 2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

Copy Sent to
 -Department-PLP-
 Penzberg

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TERRY M JOHNSON VESSELS

Telephone: (703) 308-9140 EXT 221

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/535,581	PCT/DE03/03693	23062

FORM PCT/DO/EO/905 (371 Formalities Notice)